

FILED: NASSAU COUNTY CLERK 06/21/2020 10:97 RM

NYSCEF DOC. NO. 6

INDEX NO. 608620/2020

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SHALOM S. MAIDENBAUM,	Index No.
Plaintiff,	
-against-	AFFIDAVIT OF CONFESSION OF JUDGMENT
CARDIS ENTERPRISES INTERNATIONAL, B.V., CARDIS ENTERPRISES INTERNATIONAL, N.V., CARDIS ENTERPRISES INTERNATIONAL (USA), INC., CHOSHEN ISRAEL LLC and AARON FISCHMAN,	
Defendants.	

AARON FISCHMAN, being duly sworn, depose and say:

)

COUNTY OF NASSAU

- 1. I am the individual named defendant. I am also the Chief Executive Officer ("CEO") and Director of defendants Cardis Enterprises International, B.V. ("Cardis BV") and Cardis Enterprises International, N.V. ("Cardis NV"). I am also the President and CEO of defendant Cardis Enterprises International (USA), Inc. ("Cardis USA") and I am the Managing Member of defendant Choshen Israel LLC ("Choshen"). I submit this confession of judgment for the purpose of entry of judgment against Cardis BV, Cardis NV, Cardis USA, Choshen and myself. Cardis BV, Cardis NV, Cardis USA and Choshen have offices at 445 Central Avenue, Cedarhurst, New York 11516, located in the County of Nassau, State of New York. I personally reside at 703 Carlyle Avenue, Woodmere, New York 11598, which is located in the County of Nassau, State of New York.
- 2. This confession of judgment is for a debt justly due to the plaintiff Shalom S. Maidenbaum, arising from a promissory note (the "Note") executed by Cardis BV, Cardis NV,

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with interest at an annual percentage rate of eight percent (8%).

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Cardis USA and Choshen on February 23, 2015 and personally guaranteed by me on the same date,

- The Note was due and payable on April 30, 2015, and upon default in payment, began 3. to accrue interest at the rate of twenty-four percent (24%) or the maximum amount permitted by law, whichever sum is less.
- Currently, Cardis BV, Cardis NV, Cardis USA and Choshen are in default under their 4. obligations under the note and I am personally responsible for their default under the terms of the guaranty.
- Neither Choshen, nor Cardis nor I has any defense to the payment of the obligations 5. in the Notes. Accordingly, we hereby confess judgment, jointly and severally, pursuant to CPLR § 3218, in favor of Shalom S. Maidenbaum in the sum of Two Million Dollars (\$2,000,000.00) with interest at the rate of twelve percent (8%) from February 23, 2015 to and including April 30, 2015, and thereafter, at the rate of twenty-four percent (24%), until such time as judgment is entered, and thereafter, at the statutory rate of nine percent (9%) until such time as the entire obligation is paid in full.
- On behalf of myself, Choshen and Cardis, I hereby authorize plaintiff, Shalom S. 6. Maidenbaum, his attorneys, agents, representatives, and assigns to enter judgment therefor against us in the Supreme Court of the State of New York, County of Nassau, for the total amount due.
- We admit that we are unconditionally, and jointly and severally, liable to plaintiff 7. Shalom S. Maidenbaum for the total amount set forth herein, and that we do not have any defense, offset or claim against plaintiff.

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8. We also admit that we have consulted with and shown this confession of judgment to an attorney and have no defense to the debt acknowledged herein.

- 9. This Confession of Judgment is not prohibited by CPLR § 3201.
- 10. This Confession of Judgment is not for the purpose of securing Shalom S. Maidenbaum against a contingent liability.

AARON FISCHMAN

Individually, and as Managing Member of Choshen Israel, LLC, and as CEO and Director of

Cardis Enterpirses International, B.V. and Cardis Enterprises Inernational, N.V. and as President and CEO of Cardis Enterpirses International (USA) Inc.

Sworn to before me this 4th day of May 2015

Notary Public

JONATHAN A. STEIN
Notary Public, State of New York
No. 02ST4755192
Qualified in Nassau County
Commission Expires February 28, 20